



## ***CITY OF MIAMI SPRINGS, FLORIDA***

### **CITY CLERK'S SUMMARY OF COUNCIL ACTIONS**

**Regular Meeting of Monday, September 11, 2006 - 7:00 p.m. – Council Chambers**

#### **AGENDA ITEM NUMBER AND SUBJECT**

##### **1. Call to Order/Roll Call**

All present (Vice Mayor Garcia arrived at 7:03 p.m.)

##### **2. Invocation/Salute to the Flag:**

A short ceremony to honor the 2,800 firefighters, law enforcement officers, military personnel and civilians who died on September 11, 2001 took place. The Honor Guard presented the colors. The audience participated in the salute to the Flag. Vice Mayor Garcia offered the invocation. Miami Springs Senior High School student Heather Velazquez sang the National Anthem.

##### **3. Awards & Presentations:**

##### **3A) Officer of the Month Award – August 2006 – Officer Harry Mayer**

Officer Harry Mayer.

##### **4. Open Forum:**

- Basin 14 Drainage Project Roslyn Buckner She asked for a status report. The City Manager said he and Public Works are looking for a new radar/sonar testing method
- MR106 Health Insurance Dona Kelley Read letter from former City Manager Maria Davis clearing her name and in response to comments made by former Mayor

Chet Fields in an article in the  
Gazette

**4. Open Forum: (Continued)**

- Photo Identifications Cards Betty  
Du Bois Asked Council  
to provide photo identification cards  
for seniors
- Shuttle Bus Betty  
Du Bois Said that there  
should be transportation service for  
senior citizens
- Organizational Chart Betty  
Du Bois Asked about  
the need for new Departments in the  
City. The City Manager explained  
that the only new department is Golf
- Parking Betty  
Du Bois Complained  
that cars park in front yards. Vice  
Mayor Garcia requested an agenda  
item regarding parking in the  
Downtown area
- Political signs Nery  
Owens Complained about  
Vice Mayor Garcia having removed  
signs from private property and  
reminded him of the oath he took to  
uphold the law
- Merit & COLA Increases Nery  
Owens Asked Council to  
consider merit and cost of living  
adjustment (COLA) increases for the  
City employees who are hardworking  
and deserve the increases

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Noise Judy  
Karpis Complained about the  
noise from her neighbor and urged  
Council to take action since her  
previous complaints and police  
reports have not helped

**5. Approval of Council Minutes:**

**5A) 08/21/2006 – Workshop Meeting**

**Approved as amended.**

**Motion:** Councilman Dotson

**Second:** Vice Mayor Garcia

**Vote:** 5-0

**5B) 08/28/2006 – Regular Meeting**

**Approved as written.**

**Motion:** Councilman Best

**Second:** Councilman Dotson

**Vote:** 5-0

**6. Reports from Boards & Commissions:**

**6A) 09/06/2006 – Zoning and Planning Board – Cancellation Notice**

Received for information without comment.

**6B) 09/06/2006 – Approval of Actions Taken by the Board of Adjustment at their Meeting of September 6, 2006, Subject to the 10-Day Appeal Period**

Council **approved** the actions of the Board of Adjustment.

**Motion:** Councilman Dotson

**Second:** Councilman Best

**Vote:** 5-0

**7. Public Hearings:**

Council sat as the Board of Appeals at 7:45 p.m.

The Mayor reconvened the City Council meeting

**7A) Second Reading – Ordinance – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 30-01, Establishment of Administrative Departments; by Officially Establishing Additional City Administrative Departments; Correcting the Names of Existing Departments; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date (First Reading: 8/28/2006 – Advertised: 9/1/2006)**

**Approved on second reading (Ordinance No. 941-2006)**

**Motion:** Vice Mayor Garcia

**Second:** Councilman Dotson

**Vote:** 5-0

**7B) Second Reading – Ordinance – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 30-02, Functions of the Departments; by Providing Descriptions of the Functions of the Newly Established Administrative Departments of the City; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date (First Reading: 8/28/2006 – Advertised: 9/1/2006)**

**Approved on second reading (Ordinance No. 942-2006)**

**Motion:** Vice Mayor Garcia

**Second:** Councilman Best

**Vote:** 5-0

**7C) Second Reading – Ordinance – An Ordinance of the City Council of the City of Miami Springs Adopting Miami-Dade County Code Article XIV. Adult Group Homes, which Includes Code Sections 21-251 Through 21-254; for Applicability and Enforcement Within the City; Providing for Adoption of all Future Amendments of the Article or Code Sections; Authorizing Methods of Enforcement; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date (First Reading: 8/28/2006 – Advertised: 9/1/2006)**

**Approved on second reading (Ordinance No. 943-2006)**

**Motion:** Vice Mayor Garcia

**Second:** Councilman Best

**Vote:** 5-0

**7D) Second Reading – Ordinance – An Ordinance of the City Council of the City of**

**Miami Springs Amending Code of Ordinance Section 150-002(C)(38), Definitions – Floor Area; to Provide a More Detailed Description of the “Attic Space” Subsection Set Forth in Section 150-002(C)(38); Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date (First Reading: 8/28/2006 – Advertised: 9/1/2006)**

**Approved on second reading (Ordinance No. 944-2006)**

**Motion:** Vice Mayor Garcia

**Second:** Councilman Youngs

**Vote:** 5-0

**7E) Decision Regarding Unresolved Budget Issues:**

**7.E.a. Purchase of \$117,000 Trash Crane for the Sanitation Department**

A motion to approve the purchase of the trash crane **failed**.

**Motion:** Councilman Youngs

**Second:** Vice Mayor Garcia

**Vice Mayor Garcia:** “aye”

**Councilman Best:** “no”

**Councilman Dotson:** “no”

**Councilman Youngs:** “aye”

**Mayor Bain:** “no”

**Vote:** 2-3

**7.E.b. COLA and Merit Increases for General Employees**

**Approved as proposed in the budget.**

**Motion:** Councilman Best

**Second:** Vice Mayor Garcia

**Vote:** 5-0

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**Motion to lower millage rate to 7.6 mills and to place \$194,000 in the Contingency Fund.**

**Motion:** Vice Mayor Garcia  
**Second:** Councilman Best  
**Vice Mayor Garcia:** “aye”  
**Councilman Best:** “aye”  
**Councilman Dotson:** “no”  
**Councilman Youngs:** “no”  
**Mayor Bain:** “aye”  
**Vote:** 3-2

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**7F. Consideration of Budget for Fiscal Year 2006-2007:**

**7.F.a. Resolution – A Resolution of the City Council of the City of Miami Springs Tentatively Approving Fiscal Year 2006-2007 Budget; Confirming Date, Time and Place of Final Public Hearing**

**Adopted (Resolution No. 2006-3324)**

**Motion:** Vice Mayor Garcia  
**Second:** Councilman Youngs  
**Vote:** 5-0

**7.F.b. Resolution – A Resolution of the City Council of the City of Miami Springs Authorizing the Charging of Base Fees for Water and Sewer Services for all Residential and Commercial Properties in the City; Inclusion of all Individually Metered Condominium Units Inside the City and Within the City’s Service Area Within the Base Fee Payment Requirement; Approval of New Base Fees for Water and Sewer Services for Condominium and Rental Units Located in Single Metered Buildings and for Duplexes and Three Unit Buildings Located in the City; Extension of the Base Fee Payment Requirement to Condominium and Rental Units in Single Metered Buildings and for Duplexes and Three Unit Buildings Serviced by the City Outside of the City’s Corporate Limits; Approval and Ratification of New Schedule of Rates, Fees and Charges, Effective Date**

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*Vice Mayor Garcia moved to extend the meeting for 15minutes until 11:15 p.m. Councilman Best seconded the motion which carried unanimously on voice vote.*

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**Adopted (Resolution No. 2006-3325)**

**Motion:** Councilman Youngs

**Second:** Councilman Best

**Vote:** 5-0

**7.F.c. Resolution – A Resolution of the City Council of the City of Miami Springs Establishing Rates for Collection of Garbage, Trash and Recycling for Residential and Commercial Customers Within the City of Miami Springs; Effective Date**

**Adopted, as amended (Resolution No. 2006-3326)**

**Motion:** Councilman Youngs

**Second:** Councilman Dotson

**Vote:** 5-0

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**Agenda Item 9I discussed at this time.**

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**8. Consent Agenda:**

**8A) Approval of the City Attorney's Invoice for August 2006 in the Amount of \$9,603.00**

**Approved.**

**Motion:** Councilman Dotson

**Second:** Councilman Best

**Vote:** 5-0

**9. Old Business:**

**9A) Appointment to the Ecology Board by Mayor Bain for a Full 3-Year Term Ending on April 30, 2009 (Joe Podgor's seat)**

Mayor Bain **deferred** his appointment.

**9B) Appointment to the Ecology Board by Councilman Youngs (Group IV) for an Unexpired Term Ending on April 30, 2007 Created by the Resignation of Donna Dawson**

Councilman Youngs **deferred** his appointment.

**9C) Appointment to the Civil Service Board by Vice Mayor Garcia (Group III) for a Full 3-year Term Ending on June 30, 2009**

Vice Mayor Garcia **deferred** his appointment.

**9D) Appointment to the Education Advisory Board by Councilman Youngs (Group IV) to Fill an Unexpired Term Ending on May 31, 2007 (Dorrene Cook's seat)**

Councilman Youngs **deferred** his appointment.

**9E) Appointment to the Code Enforcement Board by Councilman Dotson (Group II) to Fill an Unexpired Term Ending on September 30, 2008, Created by the Resignation of Walter Sharpe**

Councilman Dotson **deferred** his appointment.

**9F) Request that Council Approve the Execution of a Contract with Design-Build InterAmerican, the Lowest Bidder from the Request for Proposals (RFP) Process, for the Design and Construction of Two Restrooms Facilities at Stafford and Dove Avenue Parks (Tabled: 8/28/06)**

Bid **awarded** to DBI. The Administration will try to obtain additional financing in the amount of \$85,000 for the project and report back to Council.

**Motion:** Councilman Youngs

**Second:** Councilman Best

**Vote:** 5-0

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*Vice Mayor Garcia moved to extend the meeting for 15minutes until 11:45 p.m. Councilman Best seconded the motion which carried unanimously on voice vote.*

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**9G) Project I.C.E. – A Cell Phone Emergency Contact Program (Tabled: 8/28/06)**

Council **received** information regarding the I.C.E. emergency contact program.

**9H) Disability Advisory Board Amended Recommendation due to One Item Previously Approved no Longer Available**

Council **approved** the amended recommendation.

**Motion:** Vice Mayor Garcia

**Second:** Councilman Best

**Vice Mayor Garcia:** “aye”

**Councilman Best:** “aye”



**Councilman Dotson:** “aye”

**Councilman Youngs:** “absent at roll call”

**Mayor Bain:** “aye”

**Vote:** 4-0

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**Agenda Item 9I was discussed after Agenda Item 7Fc**

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**9I) Discussion of County Requirement that the City Enter into an Agreement with them to Allow Curtiss Mansion, Inc. (CMI) to Receive \$1,000,000.00 Grant**

**Resolution – A Resolution of the City Council of the City of Miami Springs Authorizing the Proper Officers and Officials of the City to Execute an Agreement Between the City of Miami Springs and Miami-Dade County for the City to Receive Funding for GOB Project Number 271-70539/ Curtiss Mansion; Directions to City Clerk; Effective Date**

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*Vice Mayor Garcia moved to extend the meeting for 15minutes until 11:30 p.m. Councilman Youngs seconded the motion which carried unanimously on voice vote.*

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**Adopted (Resolution No. 2006-3327)**

**Motion:** Councilman Best

**Second:** Vice Mayor Garcia

**Vote:** 5-0

**9J) Status Report – Interlocal Agreement with Virginia Gardens**

The City Attorney **informed** Council that the City Manager called the Mayor in Virginia Gardens to schedule a meeting this week. The good news is that \$25,000 was collected from one account that was past due.

**10. New Business:**

**10A) Appointment to the Police & Firefighters' Retirement System for a Full 2-Year Term Ending on September 30, 2008 (Gene Duffy's seat)**

Council **re-appointed** Gene Duffy to the Police Officers and Firefighters' Retirement System Board.

**Motion:** Councilman Best

**Second:** Councilman Youngs

**Vote:** 5-0

**10B) Appointment to the Police & Firefighters' Retirement System for a Full 2-Year Term Ending on September 30, 2008 (Greg Cates' seat)**

Council **re-appointed** Greg Cates to the Police Officers and Firefighters' Retirement System Board.

**Motion:** Councilman Best

**Second:** Councilman Youngs

**Vote:** 5-0

**10C) Appointment to the Code Enforcement Board by Vice Mayor Garcia (Group 3) for a Full 3-Year Term Ending on September 30, 2009 (Jacqueline Martinez-Regueira's seat)**

Vice Mayor Garcia **re-appointed** Jacqueline Martinez-Regueira to the Code Enforcement Board.

**10D) Approval of Companion Resolution Regarding the Ordinance Adopting the Miami-Dade County Code – Adult Group Homes**

**Resolution – A Resolution of the City Council of the City of Miami Springs Amending the Appendix of Civil Infraction Code Sections and Civil Penalties for Violation Appended to, and Made a part of, Code of Ordinance Section 101-01, Supplemental Code Enforcement Citation System; Directions to Codifiers; Effective Date**

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*Vice Mayor Garcia moved to extend the meeting for 15 minutes until 12 midnight. Councilman Best seconded the motion which carried unanimously on voice vote.*

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**Adopted (Resolution No. 2006-3328)**

**Motion:** Councilman Best

**Second:** Vice Mayor Garcia

**Vote:** 5-0

**10E) Discussion of a Request to Transfer Fire Arm Dealer License**

**Approved in principle.** The City Attorney will draft ordinance to change the Code to allow this use. To be scheduled for next Regular Meeting.

**10F) Discussion Regarding Code of Ordinances Section 99.01 – Unnecessary, excessive, or unusual noises, generally (Requested by Councilman Best)**

**Tabled** for the September 25, 2006 meeting.

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Meeting adjourned at 12:00 midnight.  
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